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LAW OFFICES OF  
**FAY KAPLUN & MARCIN, LLP**  
INTELLECTUAL PROPERTY LAW

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**FACSIMILE COVER SHEET**

FAX NO : 703-872-9306  
TO : Commissioner of Patents  
Mail Stop: AF  
FROM : Oleg F. Kaplun  
DATE : May 31, 2005  
SUBJECT : U.S. Appln Serial No. 09/603,886  
for Apparatus and Method for Performing  
a Tissue Resectioning Procedure  
Our Ref.: 10121/00901

NUMBER OF PAGES INCLUDING COVER : 10

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**MESSAGE:**

Please see attached.

**IF ANY PAGES WERE NOT RECEIVED OR ARE ILLEGIBLE, PLEASE CALL (212) 619-6000 AS SOON AS POSSIBLE**

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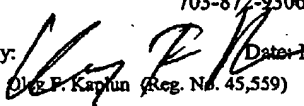
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[10121/00901]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Roy SULLIVAN  
Serial No. : 09/603,886  
Filed : June 26, 2000  
For : Apparatus and Method for Performing a Tissue Resection Procedure  
Group Art Unit : 3737  
Examiner : Ruth S. Smith

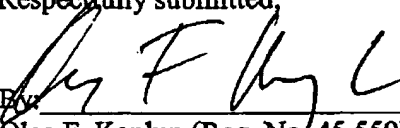
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703-872-9306  
By:  (Reg. No. 45,559) Date: May 31, 2005

TRANSMITTAL

Transmitted herewith please find a Response to a Final Office Action mailed on March 31, 2005 for filing in the above-identified application. No fees are believed to be required. However, the Commissioner is hereby authorized to charge the **Deposit Account of Fay Kaplun & Marcin, LLP No. 50-1492** any additional fees. A copy of this paper is enclosed for this purpose.

Respectfully submitted,

  
By: \_\_\_\_\_  
Oleg F. Kaplun (Reg. No. 45,559)

Dated: May 31, 2005

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
(212) 619-6000 (phone)  
(212) 619 0276 / 209 6914 (fax)

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[10121/00901]

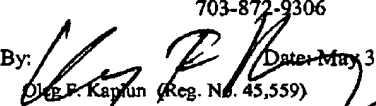
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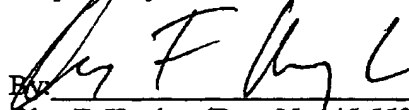
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**RESPONSE UNDER RULE 116**

In response to the final Office Action mailed March 31, 2005, please amend the above-identified application as follows: